

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 09-CR-310

CHRISTINE R. PERKINS,

Defendant.

DECISION AND ORDER

Defendant Christine R. Perkins (Perkins) motions the Court for a reduction of sentence based upon her rehabilitative efforts while incarcerated. Perkins cites to *Pepper v. United States*, 562 U.S. 476, 88 CRL 681 (2011).


Pepper is inapplicable to this set of facts. As the government argues, positive adjustment in prison can only be taken into account by the sentencing court if the sentencing court's original judgment is vacated and the case is sent back to it for resentencing. Because that is not the case here, Perkins' motion must be denied.

IT IS HEREBY ORDERED THAT:

Perkins' motion to reduce sentence pursuant to post-sentencing rehabilitation (ECF No. 370) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 19th day of May, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge